

2152
En

INFORMATION DISCLOSURE TRANSMITTAL		Docket No. G0008/7006
Applicant:	Michael A. Tavis and Jack E. Ozzie	
Serial No:	10/032,709	
Filed:	October 24, 2001	
For:	METHOD AND APPARATUS FOR MANAGING SOFTWARE COMPONENT DOWNLOADS AND UPDATES	
Examiner:	Not Yet Assigned	
Art Unit:	2152	

<p align="center">CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)</p> <p>The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 22, 2005.</p> <p align="right"> Beverly Strasnick</p>

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicant wishes to bring information to the attention of the Examiner. The filing of this statement shall not be construed as a representation that a search has been made or as an admission that this information is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Enclosures

- ☒ A form PTO-1449 listing this information is attached
- ☒ Copies of documents cited, other than U.S. patents and published U.S. patent applications, are enclosed.
- ☐ Copies of the cited documents are not enclosed because

Fees

- ☒ This statement is filed before the later of (1) three months of (i) the filing of a national application or (ii) the entry date for the national stage of an international application or (2) the mailing date of a first office action on the merits. No fee is due.
- ☐ This statement is filed before the mailing date of a final office action, a notice of allowance or an action that otherwise closes prosecution, and
 - ☐ The submission fee of \$180.00 under 37 CFR §1.17(p) is enclosed, or
 - ☐ The following certification is made:
 - ☐ each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or

- ☐ no item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.
- ☐ This statement is filed on or before payment of the issue fee, the submission fee of \$180.00 under 37 CFR §1.17(p) is enclosed, *and*
- ☐ each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or
- ☐ no item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

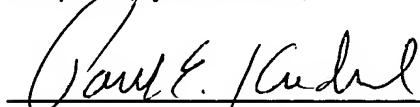
Payment

- ☐ A check in the amount of the submission fee is enclosed.
- ☐ Charge Account No. 02-3038 in the amount of the submission fee. A duplicate of this transmittal sheet is attached.

Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §1.16 and §1.17 required by the attached paper and during the entire pendency of this application to Account No. 02-3038.

Respectfully submitted,



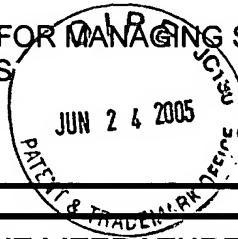
Date: 6/22/05

Paul E. Kudirka, Esq. Reg. No. 26,931
KUDIRKA & JOBSE, LLP
Customer Number 021127
Tel: (617) 367-4600 Fax: (617) 367-4656

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT Sheet 1 of 1**

Docket No. G0008/7006

Applicant: Michael A. Tavis and Jack E. Ozzie
 Serial No: 10/032,709
 Filed: October 24, 2001
 For: METHOD AND APPARATUS FOR MANAGING SOFTWARE COMPONENT
 DOWNLOADS AND UPDATES
 Examiner: Not Yet Assigned
 Art Unit: 2152



OTHER PRIOR ART – NON PATENT LITERATURE AND DOCUMENTS

Exam Inits	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the articles (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
		MARIMBA, INC., Software Distribution and Management, (http://www.marimba.com/products/change_management/desktop/software-distribution.shtml), 1996-2002, Marimba, Inc.	<input type="checkbox"/>
		MICROSOFT, INC., Open Software Description Element Reference, (http://msdn.microsoft.com/workshop/delivery/osd/reference/reference.asp?frame=true) 2002 Microsoft Corporation	<input type="checkbox"/>
		VON HOFF, ET AL., The Open Software Description Format (OSD), Submitted to W3C 13 August 97, (http://www.w3.org/TR/NOTE-OSD.html)	<input type="checkbox"/>
		MARIMBA, INC., Marimba Embedded Management, Creating Self-Updating Appliances and Devices, www.marimba.com , August 2001	<input type="checkbox"/>
		MARIMBA, INC., Understanding centralized Management of Server Content and Applications, www.marimba.com , September 2000	<input type="checkbox"/>
		MARIMBA, INC., OSD - Describing Software Packages on the Internet, www.marimba.com , Whitepaper: Open Software Description: May 1998	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--